

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MATTHEW JASON WELCH,

Defendant.

CR 20–103–BLG–DLC

ORDER

United States Magistrate Judge Timothy J. Cavan entered his Findings and Recommendation on December 15, 2020. (Doc. 29.) As neither party objected, they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Cavan recommends that the Court accept Defendant Matthew Jason Welch’s guilty plea after Welch appeared before him pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to Count I of the Indictment, which charges wire fraud, in violation of 18 U.S.C. § 1343. (*See sealed* Doc. 1.)

Finding no clear error, IT IS ORDERED that the Court ADOPTS the Findings and Recommendation (Doc. 29) IN FULL.

IT IS FURTHER ORDERED that Welch's motion to change plea (Doc. 15) is GRANTED, and Matthew Jason Welch is adjudged guilty as charged in Count I of the Indictment.

DATED this 30th day of December, 2020.



Dana L. Christensen, District Judge
United States District Court